

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

GC FINANCE, LLC<sup>1</sup> )  
v. ) No. 3:06-0913  
OLD REPUBLIC NATIONAL TITLE )  
INSURANCE COMPANY )

**O R D E R**

In accord with the contemporaneously entered memorandum, the plaintiff's motion for partial summary judgment (Docket Entry No. 30) is GRANTED on the plaintiff's claim that the defendant had a duty to defend the plaintiff in the underlying state court litigation, but DENIED on the claim that the defendant had a duty to indemnify the plaintiff; and the defendant's motion for summary judgment (Docket Entry No. 26) is DENIED.

It is so ORDERED.



JULIET GRIFFIN  
United States Magistrate Judge

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<sup>1</sup> The Governor's Club Property Owners Association was originally a plaintiff in this lawsuit, but by stipulation filed November 6, 2007 (Docket Entry No. 23), and order entered November 13, 2007 (Docket Entry No. 24), the claims brought by The Governor's Club Property Owners Association were dismissed, and GC Finance, LLC became the sole remaining plaintiff.